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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,708	03/27/2001	Richard Adelson	ADELSON-1	9915

7590 04/21/2003

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EXAMINER

NGUYEN, CINDY

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 04/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/818,708

Applicant(s)

ADELSON ET AL.

Examiner

Cindy Nguyen

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### **DETAILED ACTION**

This is in response to application filed on 03/27/03 in which claims 1-40 are presented for examination.

#### **1. *Information Disclosure Statement***

The information disclosure statement filed on 08/14/02 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. Because it has been placed in the application file, and the information referred to therein has been considered as to the merits.

#### ***Specification***

The disclosure is objected to because of the following informalities: the summary of the invention is merely a reiteration of a claim and fails to summarize the novelty of the invention.

Appropriate correction is required.

#### ***Abstract***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The disclosure is objected to because it is not narrative in form.

#### **2. *Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

Art Unit: 2171

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 12 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 12 and 13 recites the limitation "step of backup occurs" in claim 3. There is insufficient antecedent basis for this limitation in the claim. Correction is requested.

### **3. *Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**4. Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landry (U.S. 5956700) in view of Pare, Jr. et al. (U.S. 6154879) (Pare).**

Regarding claims 1 and 19, Landry discloses the system and method for processing account information contained in batch process files in an on-line like manner, said method comprising:

reading at least one batch file containing a plurality of records, each of said plurality of records being related to an associated one of a plurality of accounts (col. 11, lines 64 to col. 12, lines 19, Landry);

Art Unit: 2171

identifying which of said plurality of records relate to same ones of said plurality of accounts (col. 12, lines 40-65, Landry);

processing each of said records identified as relating to said selected one of said accounts prior to processing any of said records relating to any other of said plurality of accounts (col. 13, lines 35-60, Landry).

However, Landry didn't disclose: selecting and restricting access to one of said accounts; removing said restricted access to said selected one of said accounts after all of said records identified with said selected one of said accounts are processed. On the other hand, Pare disclose: selecting and restricting access to one of said accounts (col. 9, lines 1-18, Pare); removing said restricted access to said selected one of said accounts after all of said records identified with said selected one of said accounts are processed (col. 14, lines 23-45, Pare). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include step selecting and removing said restricted access in the system Landry as taught by Pare. The motivation being to enable the users improve security level to protect the account information.

Regarding claims 2 and 20, most of the limitations of these claims have been noted in the rejection of claims 1 and 19 above, respectively. In addition, Landry/Pare discloses: further comprising the step of: reporting the results of processing of each of said selected one of said accounts (col. 13, lines 61 to col. 14, lines 16, Landry).

Art Unit: 2171

Regarding claims 3 and 21, most of the limitations of these claims have been noted in the rejection of claims 1 and 19 above, respectively. In addition, Landry/Pare discloses: further comprising the step of: storing the results of processing of each of said selected one of said accounts (col. 14, lines 17-39, Landry).

Regarding claims 4 and 22, most of the limitations of these claims have been noted in the rejection of claims 1 and 19 above, respectively. In addition, Landry/Pare discloses: wherein the step of identifying includes validating said records (col. 20, lines 19-39, Landry).

Regarding claims 5 and 23, most of the limitations of these claims have been noted in the rejection of claims 1 and 19 above, respectively. In addition, Landry/Pare discloses: wherein the step of selecting further comprises; selecting preexisting ones of said accounts prior to new ones of said accounts (col. 20, lines 41-54, Landry).

Regarding claims 6 and 24, most of the limitations of these claims have been noted in the rejection of claims 1 and 19 above, respectively. In addition, Landry/Pare discloses: wherein the step of selecting further comprises: selecting one of said accounts in accordance with a control cycle (col. 13, lines 61 to col. 14, lines 16, Landry).

Regarding claims 7 and 25, most of the limitations of these claims have been noted in the rejection of claims 6 and 24 above, respectively. In addition, Landry/Pare discloses: wherein said control cycle is determined autonomously (col. 34, lines 29-55, Landry).

Art Unit: 2171

Regarding claims 8 and 26, most of the limitations of these claims have been noted in the rejection of claims 7 and 25 above, respectively. In addition, Landry/Pare discloses: where said control cycle is selected from the group comprising daily, day specific, weekly, monthly, quarterly, yearly (col. 34, lines 29-55, Landry).

Regarding claims 9 and 27, most of the limitations of these claims have been noted in the rejection of claims 6 and 24 above, respectively. In addition, Landry/Pare y discloses: wherein said control cycle is determined manually (col. 34, lines 29-55, Landry).

Regarding claims 10 and 28, most of the limitations of these claims have been noted in the rejection of claims 2 and 20 above, respectively. In addition, Landry/Pare y discloses: wherein said step of reporting occurs at preselected intervals (col. 13, lines 61 to col. 14, lines 16, Landry).

Regarding claims 11 and 29, most of the limitations of these claims have been noted in the rejection of claims 2 and 20 above, respectively. In addition, Landry/Pare y discloses: wherein the step of reporting occurs upon detection of a predetermined event (col. 21, lines 1-25, Landry).

Art Unit: 2171

Regarding claim 12, most of the limitations of this claim have been noted in the rejection of claim 3. In addition, Landry/Pare discloses: wherein said step of backup occurs at preselected intervals (col. 25, lines 25-50, Landry).

Regarding claims 13 and 39, most of the limitations of these claims have been noted in the rejection of claims 3 and 37 above, respectively. In addition, Landry/Pare disclose: wherein the step of backup occurs upon detection of a predetermined event (col. 15, lines 3-7, Pare). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include step of backup occurs upon detection of a predetermined event in the system Landry as taught by Pare. The motivation being to improve ultimate recovery by reducing the time and controlling of any errors occur during the batch process.

Regarding claims 14 and 32, most of the limitations of these claims have been noted in the rejection of claims 1 and 19 above, respectively. In addition, Landry/Pare discloses: wherein the step of processing comprises debiting said selected ones of said accounts (col. 24, lines 41-62, Landry).

Regarding claims 15 and 33, most of the limitations of these claims have been noted in the rejection of claims 1 and 19 above, respectively. In addition, Landry/Pare discloses: wherein the step of processing comprises reconciling said selected ones of said accounts (col. 27, lines 53-67, Landry).



Art Unit: 2171

Regarding claims 16 and 34, most of the limitations of these claims have been noted in the rejection of claims 1 and 19 above, respectively. In addition, Landry/Pare discloses: wherein the step of processing comprises creating bills (col. 26, lines 36-56, Landry).

Regarding claims 17 and 35, most of the limitations of these claims have been noted in the rejection of claims 1 and 19 above, respectively. In addition, Landry/Pare discloses: wherein the step of processing comprises determining disbursements (col. 24, lines 41-62, Landry).

Regarding claims 18 and 36, most of the limitations of these claims have been noted in the rejection of claims 1 and 19 above, respectively. In addition, Landry/Pare y discloses: wherein the step of processing comprises generating notices (col. 21, lines 66 to col. 22, lines 16, Landry).

Regarding claim 30, most of the limitations of this claim have been noted in the rejection of claim 21. In addition, Landry/Pare discloses: wherein said storing occurs at preselected intervals (col. 14, lines 17-39, Landry).

Regarding claim 31, most of the limitations of this claim have been noted in the rejection of claim 21. In addition, Landry/Pare discloses: wherein said storing occurs upon detection of a predetermined event (col. 14, lines 40-64, Landry).

Regarding claim 40, most of the limitations of this claim have been noted in the rejection of claim 19. In addition, Landry/Pare discloses: wherein said input means is selected from the

Art Unit: 2171

group comprising keyboard entry., punch cards, paper tape, magnetic tape, optical media, electronic media, touch-screen entry, communication network (col. 17, lines 39-55, Landry).

Regarding claim 37, most of the limitations of this claim have been noted in the rejection of claim 19. In addition, Landry/Aleia disclose: wherein said processor is further operable to: backup said selected ones of said accounts (col. 13, lines 25-30, Pare).

Regarding claim 38, most of the limitations of this claim have been noted in the rejection of claim 37. In addition, Landry/Aleia disclose: wherein said backup occurs at preselected intervals (col. 25, lines 25-50, Landry).

## **5. Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kenna et al. (U.S 6108641). Integrated nested account financial system with medical savings system with medical saving subaccount.

## **6. Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

Art Unit: 2171

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CN

Cindy Nguyen  
April 16, 2003

  
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